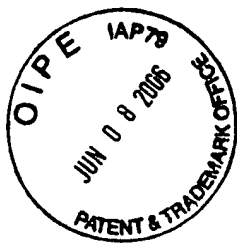


CFW



PATENT

Attorney Docket No.: 18184-0004 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent application of
Robert F. Kucharik, *et al.*

Serial No. 10/728,261

Filing Date: December 3, 2003

For: PHARMACEUTICAL COMPOSITION OF 1-(3,4-DIMETHOXYPHENYL)-4-METHYL-5-ETHYL-7-METHOXY-8-HYDROXY-5H-2,3-BENZODIAZEPINE AND USES THEREOF

Group Art Unit:
1614

Examiner:
Kendra D. Carter

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the office action mailed May 17, 2006.

Applicants elect the claims of Group I (claims 1-12), drawn to a pharmaceutical composition.

The election is made without prejudice to applicant's right to obtain rejoinder of all

CERTIFICATE OF MAILING
UNDER 37 C.F.R. 1.8(a)

I hereby certify that this paper, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date indicated below, with sufficient postage, as first class mail, in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

BY

Mr. Dennis M. Collins

DATE:

June 6, 2006

other claims, pursuant to MPEP 821.04.

Respectfully submitted

ROBERT F. KUCHARIK, *et al.*

BY: 

DANIEL A. MONACO

Registration No. 30,480

DRINKER, BIDDLE & REATH, LLP.

One Logan Square

18th and Cherry Streets

Philadelphia, PA 19103-6996

(215) 988-3312 - Phone

(215) 988-2757 - Fax

Attorney for the Applicants